

Fill in this information to identify your case:

United States Bankruptcy Court for the:

SOUTHERN DISTRICT OF NEW YORK

Case number (if known)

Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

4/16

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name American Diner Group, Inc.

2. All other names debtor used in the last 8 years
Include any assumed names, trade names and doing business as names

3. Debtor's federal Employer Identification Number (EIN) 22-3977436

4. Debtor's address Principal place of business

26 Saw Mill River Road
Hawthorne, NY 10532

Number, Street, City, State & ZIP Code

Westchester
County

Mailing address, if different from principal place of business

P.O. Box, Number, Street, City, State & ZIP Code

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))

☐ Partnership (excluding LLP)

☐ Other. Specify:

7. Describe debtor's business A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
 See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

7225

8. Under which chapter of the Bankruptcy Code is the debtor filing? Check one:

- ☐ Chapter 7
☐ Chapter 9

☒ Chapter 11. Check all that apply.

- ☐ Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,566,050 (amount subject to adjustment on 4/01/19 and every 3 years after that).
☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). If the debtor is a small business debtor, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if all of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?
☒ No.
☐ Yes.

If more than 2 cases, attach a separate list.

District	When	Case number
District	When	Case number

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?
☐ No
☒ Yes.

List all cases. If more than 1, attach a separate list

Debtor	Chrisevan Corp.	Relationship	Affiliated Corporation
District	S.D.N.Y.	When	5/02/18
		Case number, if known	18-22661

Debtor **American Diner Group, Inc.**
Name

Case number (if known)

11. Why is the case filed in this district?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5,001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated Assets

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☒ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☒ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor American Diner Group, Inc.
Name

Case number (if known) _____

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on May 2, 2018
MM / DD / YYYY

☒ /s/ Gulam R. Khan
Signature of authorized representative of debtor

Gulam R. Khan
Printed name

Title _____

18. Signature of attorney

☒ /s/ Carlos J. Cuevas, Esq.
Signature of attorney for debtor

Date May 2, 2018
MM / DD / YYYY

Carlos J. Cuevas, Esq. Carlos J. Cuevas, Esq.
Printed name

Carlos J. Cuevas, Esq.
Firm name

1250 Central Park Avenue
Yonkers, NY 10704-1805
Number, Street, City, State & ZIP Code

Contact phone 914-964-7060

Email address ccuevas576@aol.com

NY
Bar number and State

United States Bankruptcy Court
Southern District of New York

In re American Diner Group, Inc.

Debtor(s)

Case No.

Chapter

11

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:
- | | | |
|---|----|-------------|
| For legal services, I have agreed to accept | \$ | <u>0.00</u> |
| Prior to the filing of this statement I have received | \$ | <u>0.00</u> |
| Balance Due | \$ | <u>0.00</u> |
2. The source of the compensation paid to me was:
☒ Debtor ☐ Other (specify):
3. The source of compensation to be paid to me is:
☒ Debtor ☐ Other (specify):
4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.
☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.
5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
 - b. Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
 - c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
 - d. [Other provisions as needed]
- Negotiations with secured creditors to reduce to market value; exemption planning; preparation and filing of reaffirmation agreements and applications as needed; preparation and filing of motions pursuant to 11 USC 522(f)(2)(A) for avoidance of liens on household goods.**
6. By agreement with the debtor(s), the above-disclosed fee does not include the following service:
Representation of the debtors in any dischargeability actions, judicial lien avoidances, relief from stay actions or any other adversary proceeding.

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

May 2, 2018

Date

/s/ Carlos J. Cuevas, Esq.**Carlos J. Cuevas, Esq.**

Signature of Attorney

Carlos J. Cuevas, Esq.**1250 Central Park Avenue****Yonkers, NY 10704-1805****914-964-7060 Fax: 914-964-7064****ccuevas576@aol.com**

Name of law firm

**United States Bankruptcy Court
Southern District of New York**

In re American Diner Group, Inc.

Debtor(s)

Case No.

Chapter

11

LIST OF EQUITY SECURITY HOLDERS


Following is the list of the Debtor's equity security holders which is prepared in accordance with rule 1007(a)(3) for filing in this Chapter 11 Case

Name and last known address or place of business of holder	Security Class	Number of Securities	Kind of Interest
Suhela Khan 6125 Fieldston Road Bronx, NY 10471	Common	200	100%

DECLARATION UNDER PENALTY OF PERJURY ON BEHALF OF CORPORATION OR PARTNERSHIP

I, the of the corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing List of Equity Security Holders and that it is true and correct to the best of my information and belief.

Date May 2, 2018

Signature  Gulam R. Khan
Gulam R. Khan

*Penalty for making a false statement of concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.*

**United States Bankruptcy Court
Southern District of New York**

In re American Diner Group, Inc.

Debtor(s)

Case No.


Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: May 2, 2018


Is/ Gulam R. Khan
Gulam R. Khan/
Signer/Title

BAYSHORE PAPER
41 DECKER STREET
COPIAGUE, NY 11726

CARBON'S GOLDEN MALTED
CONCORDVILLE, PA 19331

CHRISEVAN CORP.
590 SOUTH BROADWAY
YONKERS, NY

COFFEE ASSOCIATES, INC.
178 OLD RIVER ROAD
EDGEWATER, NJ 07020

EVELYN CRIOLLO ALVARRACIN
C/O GOODRICH & BENDISH
5 OLD ROAD
ELMSFORD, NY 10523

GULAN H. KHAN
C/O AMERICAN DINER GROUP, INC.
26 SAW MILL RIVER ROAD
HAWTHORNE, NY 10532

GULAN R. KHAN
C/O AMERICAN DINER GROUP, INC.
26 SAW MILL RIVER ROAD
HAWTHORNE, NY 10532

GULAN U. KHAN
C/O AMERICAN DINER GROUP, INC.
26 SAW MILL RIVER ROAD
HAWTHORNE, NY 10532

GULAN Z. KHAN
C/O AMERICAN DINER GROUP, INC.
26 SAW MILL RIVER ROAD
HAWTHORNE, NY 10532

MAINES PAPER & FOOD SERVICE
101 BROOME CORPORATE PARKWAY
CONKLIN, NY 13748

MARVIN SAMAYOA
C/O RICHARD GELLER, ESQ.
3717 EAST TREMONT AVENUE
BRONX, NY 10465

U.S. FOOD
POB 641871
PITTSBURGH, PA 15264

US DEPT OF LABOR
C/O DAVID M. JAKLEVIC, ESQ.
201 VARICK STREET, RM. 983
NEW YORK, NY 10014

**United States Bankruptcy Court
Southern District of New York**

In re **American Diner Group, Inc.**

Debtor(s)

Case No.

Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **American Diner Group, Inc.** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

**Suhela Khan
6125 Fieldston Road
Bronx, NY 10471**

☐ None [*Check if applicable*]

May 2, 2018

Date


/s/ Carlos J. Cuevas, Esq.

Carlos J. Cuevas, Esq. Carlos J. Cuevas, Esq.

Signature of Attorney or Litigant

Counsel for **American Diner Group, Inc.**

Carlos J. Cuevas, Esq.

1250 Central Park Avenue

Yonkers, NY 10704-1805

914-964-7060 Fax: 914-964-7064

ccuevas576@aol.com

**United States Bankruptcy Court
Southern District of New York**

In re American Diner Group, Inc.

Debtor(s)

Case No.
Chapter

11

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, **Suhela Khan**, declare under penalty of perjury that I am the of **American Diner Group, Inc.**, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the 1st day of May 2018.

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Gulam R. Khan**, of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Gulam R. Khan**, of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **Gulam R. Khan**, of this Corporation is authorized and directed to employ **Carlos J. Cuevas, Esq. Carlos J. Cuevas, Esq.**, attorney and the law firm of **Carlos J. Cuevas, Esq.** to represent the corporation in such bankruptcy case."

Date May 1, 2018

Signed /s/ Suhela Khan
Suhela Khan

Resolution of Board of Directors
of
American Diner Group, Inc.

Whereas, it is in the best interest of this corporation to file a voluntary petition in the the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Gulam R. Khan**, of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Gulam R. Khan**, of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **Gulam R. Khan**, of this Corporation is authorized and directed to employ **Carlos J. Cuevas, Esq. Carlos J. Cuevas, Esq.**, attorney and the law firm of **Carlos J. Cuevas, Esq.** to represent the corporation in such bankruptcy case.

Date May 1, 2018

Signed /s/ Suhela Kahn

Date May 1, 2018

Signed _____

Carlos J. Cuevas, Esq.
Proposed Attorney for the Debtor
1250 Central Park Avenue
Yonkers, New York 10704
Tel. No. 914.964.7060
Carlos J. Cuevas

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

In re Chapter 11

AMERICAN DINER GROUP, INC., Case No.

Debtor.

-----X


LOCAL RULE AFFIDAVIT

STATE OF NEW YORK }
 } ss.:
COUNTY OF WESTCHESTER}


GULAN R. KHAN, being duly sworn deposes and says:

1. I am Vice President of the Debtor. Unless otherwise stated, I have personal knowledge of the contents of this Affidavit.
2. The Debtor operates a diner in Hawthorne, New York, and has twenty-three employees. My family has operated the Debtor for twelve years.
3. The Debtor was forced to file because of the enforcement of a default judgment by the U.S. Department of Labor ("DOL"). The enforcement of the default judgment occurred after the Debtor had been in settlement negotiations with DOL. The DOL has restrained the Debtor's bank accounts.

4. I have been informed by counsel that the amount due to the DOL is substantially less than the default judgment. It is the Debtor's intention to immediately seek mediation and reach a settlement with DOL that will enable the Debtor to successfully emerge from Chapter 11.
5. Attached as Exhibit A is a list of the twenty largest unsecured creditors.
6. There is no consensual secured debt.
7. Attached as Exhibit B is a list of the Debtor's assets and liabilities.
8. The Debtor leases 26 Saw Mill River Road, Hawthorne, New York USA Land Group, Inc.
9. The present actions against the Debtor are the following: *Acosta v. American Diner Group, Inc., et al*, Civ No. 16 cv 9036 (CS/LMS), United States District Court for the Southern District of New York. This civil action is for the violation of FLSA. A default judgment has been entered. *Criollo-Alvarracin v. American Diner Group, Inc.*, Index No. 58718/2016, Supreme Court of the State of New York, County of Westchester. This action is a tort suit, which is pending. *Samayoa v. American Diner Group, Inc.*, Index No. 69922/2015, Supreme Court of the State of New York, County of Westchester. This is a tort suit, which is pending.
10. Ms. Suhela Kahn is the President, and receives no salary. Mr. Gulan R. Kahn is the Vice President in charge of operations. Mr. Galan U. Kahn is the Manager and is on premises on daily basis. Mr. Galan R, Kahn is paid \$500.00 a week.
11. Attached as Exhibit Ci s the 30 day budget.


Gulam R. Kahn

Sworn to before this 2nd
day of May 2018



Notary Public
Westchester Cty
Reg No. 02CU63574/D
Exp 4/17/21

EXHIBIT A

Fill in this information to identify the case:

Debtor name **American Diner Group, Inc.**

United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF NEW YORK**

Case number (if known) _____

☐ Check if this is an amended filing

Official Form 202

Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- ☐ *Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- ☐ *Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- ☐ *Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- ☐ *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- ☐ *Schedule H: Codebtors* (Official Form 206H)
- ☐ *Summary of Assets and Liabilities for Non-Individuals* (Official Form 206Sum)
- ☐ *Amended Schedule*
- ☒ *Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- ☐ Other document that requires a declaration _____

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **May 2, 2018**


X/s/ Gulam R. Khan

Signature of individual signing on behalf of debtor

Gulam R. Khan

Printed name

Position or relationship to debtor

Fill in this information to identify the case:

Debtor name **American Diner Group, Inc.**
 United States Bankruptcy Court for the: **SOUTHERN DISTRICT OF NEW YORK**
 Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Bayshore Paper 41 Decker Street Copiague, NY 11726		Trade creditor	Unliquidated			\$1,667.89
Carbon's Golden Malted Concordville, PA 19331		Trade creditor	Unliquidated			\$700.85
Coffee Associates, Inc. 178 Old River Road Edgewater, NJ 07020		Trade creditor	Unliquidated			\$3,500.00
Evelyn Criollo Alvarracin c/o Goodrich & Bendish 5 Old Road Elmsford, NY 10523		Tort lawsuit	Contingent Unliquidated Disputed			\$0.00
Maines Paper & Food Service 101 Broome Corporate Parkway Conklin, NY 13748		Trade creditor				\$8,565.00
Marvin Samayoa c/o Richard Geller, Esq. 3717 East Tremont Avenue Bronx, NY 10465		Tort lawsuit	Contingent Unliquidated Disputed			\$0.00
U.S. Food POB 641871 Pittsburgh, PA 15264		Trade creditor				\$7,595.00

Debtor **American Diner Group, Inc.**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
US Dept of Labor c/o David M. Jaklevic, Esq. 201 Varick Street, Rm. 983 New York, NY 10014		Default judgment	Disputed			\$837,355.56

EXHIBIT B

Form 1120S (2015) **AMERICAN DINER GROUP INC****22-3977436**Page **4**

Schedule K Shareholders' Pro Rata Share Items (continued)		Total amount	
Other Information	17a Investment income	17a	
	b Investment expenses	17b	
	c Dividend distributions paid from accumulated earnings and profits	17c	
	d Other items and amounts (attach statement)		
Reconciliation	18 Income/loss reconciliation. Combine the amounts on lines 1 through 10 in the far right column. From the result, subtract the sum of the amounts on lines 11 through 12d and 14l	18	-16,267

Schedule L Balance Sheets per Books		Beginning of tax year		End of tax year	
Assets		(a)	(b)	(c)	(d)
1	Cash		44,429		35,486
2a	Trade notes and accounts receivable				
b	Less allowance for bad debts	((
3	Inventories		17,650		18,100
4	U.S. government obligations				
5	Tax-exempt securities (see instructions)				
6	Other current assets (attach statement)				
7	Loans to shareholders				
8	Mortgage and real estate loans				
9	Other investments (attach statement)				
10a	Buildings and other depreciable assets	1,472,608		1,472,608	
b	Less accumulated depreciation	(500,395	972,213	(577,379	895,229
11a	Depletable assets				
b	Less accumulated depletion	((
12	Land (net of any amortization)				
13a	Intangible assets (amortizable only)				
b	Less accumulated amortization	((
14	Other assets (attach statement)				
15	Total assets		1,034,292		948,815
Liabilities and Shareholders' Equity					
16	Accounts payable				
17	Mortgages, notes, bonds payable in less than 1 year		40,000		40,000
18	Other current liabilities (attach statement)				
19	Loans from shareholders		373,966		373,966
20	Mortgages, notes, bonds payable in 1 year or more		877,590		808,380
21	Other liabilities (attach statement)				
22	Capital stock		1,000		1,000
23	Additional paid-in capital				
24	Retained earnings		-258,264		-274,531
25	Adjustments to shareholders' equity (attach statement)				
26	Less cost of treasury stock	((
27	Total liabilities and shareholders' equity		1,034,292		948,815

Form **1120S** (2015)

EXHIBIT C

AMERICAN DINER GROUP

30 DAY BUDGET

Expenses:

Payroll	\$40,000
Rent	\$18,000
Mortgage	\$9,400
Con Edison	\$9,000
Insurance	\$1,500
Garbage	\$700
TV & Telephone	\$300
NYSF Insurance	\$1,500
Disability Insurance	\$300
Accounting	\$650
Real Estate Taxes	\$3,700
Water	\$500
Sales Tax	\$12,000
Food Costs	\$40,000
Miscellaneous	<u>\$500</u>
TOTAL:	\$138,050

Income:

Sales $\$37,000 \times 4 = \$148,000$